

**SUPPORTING STATEMENT FOR THE  
FALL PROTECTION SYSTEMS CRITERIA AND  
PRACTICES (29 CFR 1926.502) AND TRAINING  
REQUIREMENTS (29 CFR 1926.503)<sup>1</sup>  
OFFICE OF MANAGEMENT AND BUDGET (OMB)  
CONTROL NO. 1218-0197 (June 2010)**

## **JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The main objective of the Occupational Safety and Health Act (OSH Act) is to “assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” (29 U.S.C. 651). To achieve this objective, the OSH Act specifically authorizes “the development and promulgation of occupational safety and health standards” (29 U.S.C. 651). In addition, the OSH Act specifies that “[e]ach employer shall make, keep and preserve, and make available to the Secretary . . . such records . . . as the Secretary . . . may prescribe by regulation as necessary or appropriate for the enforcement of this Act . . .” (29 U.S.C. 657).

Under the authority granted by the OSH Act, the Occupational Safety and Health Administration (OSHA) published the construction standards on Fall Protection Systems Criteria and Practices (29 CFR 1926.502) and Training Requirements (29 CFR 1926.503) to protect workers from workplace fall hazards. Items 2 and 12 below list and describe the specific information collection requirements of these standards.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection.**

The standard on Fall Protection Systems Criteria and Practices (29 CFR 1926.502) ensures that employers provide required fall protection for their workers working in the construction industry. The Standard recognizes the vast variation in construction fall hazards and accordingly includes several optional solutions. Depending on job-site conditions, employers may choose to comply with requirements for guardrail systems, safety-net systems, personal fall arrest systems, positioning device systems, warning line systems, safety monitoring systems or controlled access zones, and combinations of these abatement strategies. In further recognition of the flexibility needed to address fall hazards in construction, specific standards include optional components. In order to ensure the options provide workers their full measure of fall protection, the Standard requires the employer to prepare certifications. Accordingly, the Standard has the following paperwork requirements: Paragraphs (c)(4)(ii) and (k) of 29 CFR 1926.502, specify certification of safety nets and development of fall protection plans, respectively.

Safety-net use is a fall protection option available to construction employers. Paragraph (c)(4)(ii) of 29 CFR 1926.502, which addresses the certification of safety nets, is an option

within the option to use these nets. This paragraph is available to employers who demonstrate that performing a drop test on safety nets is unreasonable. This provision allows such employers to certify that their safety nets and the installation of these nets protect workers at least as well as safety nets that have met the drop-test criteria. The employer must complete the certification process prior to using such a net for fall protection, and the certificate must include the following information: Identification of the net and the type of installation used for the net; the date that the certifying party determined that the net and its installation would meet the drop-test criteria specified by the Standard; and the signature of the party making this determination. The most recent certificate must be available at the jobsite for inspection, thereby providing a means for workers and OSHA compliance officers to verify that the safety net and its installation comply with the impact requirements of the Standard. The use of safety nets, not to be confused with debris nets designed only to trap debris, has declined in construction due to the increased efficiency of computer aided fall protection preplanning and technical improvements in personal fall arrest and guardrail systems. Increasingly, project owners and insurance carriers are requiring that all workers use conventional fall protection, primarily personal fall arrest systems, on their construction projects.

The fall protection plans specified in paragraph (k) of 29 CFR 1926.502 are available as an option to employers who have workers engaged in leading-edge work, precast-concrete-erection work, or residential construction. To exercise this option, these employers must provide evidence that using only conventional fall protection systems is infeasible or is more hazardous than the fall protection alternative described in the plan. The employer must ensure that: A “qualified<sup>2</sup>” person” prepares an up-to-date plan for a specific jobsite; a copy of the current, approved plan is at the jobsite; a “competent person”<sup>3</sup> supervises implementation of the plan; and the qualified person approves any revisions made to the plan, including revisions made to the plan as a result of investigating a fall, or serious fall-related incident as required by paragraph (k)(10) of this Standard. In addition, the employer must ensure that the plan: Documents the basis for determining that conventional fall protection equipment is infeasible or is more hazardous than the fall protection alternative; includes a discussion of other measures that the employer will take to reduce or eliminate the fall hazard for workers who do not use conventional fall protection systems; identifies each jobsite location where the employer cannot use conventional fall protection systems, and designates these locations as controlled access zones; and provides the name or other identifier for each worker authorized to work in a controlled access zone. The Agency has identified two trends that have lessened industry reliance on the fall protection plan option. Computer aided fall protection preplanning improvements continue to couple with technical advances to make conventional fall protection more efficient and effective. Many construction employers are achieving what is called “100%

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<sup>2</sup>Paragraph (m) of §1926.32 specifies that a “qualified person” is “one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated [their] ability to solve or resolve problems relating to the subject matter, the work, or the project.”

<sup>3</sup>Paragraph (f) of §1926.32 reads that a “competent person” is one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.”

tie-off” for their elevated workers because of these trends and the insistence of project owners and insurers.

The training certification requirement specified in paragraph (b) of 29 CFR 1926.503 documents the training provided to workers potentially exposed to fall hazards. In this regard, a competent person must train these workers to recognize fall hazards and in the use of procedures and equipment that minimize these hazards.<sup>4</sup> An employer must verify compliance with this training requirement by preparing and maintaining a written certification record that contains the: Name or other identifier of the worker receiving the training; the date(s) of the training; and the signature of the competent person who conducted the training or the signature of the employer.<sup>5</sup>

Under paragraph (c) of this Standard, employers must retrain workers who they have reason to believe do not have the required understanding and skills. In this regard, employers must provide retraining when: Changes occur in the workplace or in the types of fall protection systems or equipment that are sufficient to render the previous training obsolete; or inadequacies in a worker’s knowledge or use of fall protection systems or equipment indicate that the worker lacks the requisite understanding or skill. It is the Agency’s understanding that fall protection training is done on a cyclic or as needed basis for groups of workers rather than done for each worker.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

Employers may use improved information technology when establishing and maintaining the required records. OSHA wrote the paperwork requirements of these standards in performance-oriented language, i.e., in terms of what data to collect, not how to collect the data.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.**

The requirements to collect and maintain information are specific to each employer and worker involved, and no other source or agency duplicates these requirements or can make the required information available to OSHA (i.e., the required information is available only from employers).

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<sup>4</sup>Paragraph (a)(2) of this provision requires employers to ensure that its competent person is qualified in the following areas: the nature of fall hazards present at the worksite; correct procedures for erecting, maintaining, disassembling, and inspecting the fall protection systems that workers will use; the use and operation of guardrail systems, personal fall arrest systems, safety-net systems, warning-line systems, safety-monitoring systems, controlled-access zones, and other protections that workers will use; the functions of workers in the fall protection plan, including their functions in safety-monitoring systems when used; the limitations on the use of mechanical equipment during the performance of roofing work on low-sloped roofs; the correct procedures for handling and storing fall protection equipment and materials, and for erecting overhead protection; and is qualified in the standards contained in subpart M (“Fall protection”).

<sup>5</sup>This provision allows an employer, who relies on training conducted by another employer or on training that a worker completed prior to the effective date of these standards, to enter the date on the certificate on which the employer determined that this training met the requirements of this provision.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The information collection requirements of these standards do not have a significant impact on a substantial number of small entities.

**6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

OSHA standards recognize several methods of addressing construction fall hazards including options for some listed methods. The standards ensure that employers, exercising certain fall protection options (safety-nets, fall protection plans), provide required fall protection for their workers. The standards also recognize the broad requirement for fall protection training. Therefore, these standards require that employers:

- certify the safety-nets and installations, if they demonstrate that it is unreasonable to conduct drop tests on safety-nets and their installations;
- develop fall protection plans, if they perform leading-edge work, precast-concrete-erection work, or residential construction, and provide evidence that using conventional fall protection equipment is infeasible or creates a greater hazard; and,
- certify training records that demonstrate that their workers can identify fall hazards and know how to use fall protection procedures and equipment to minimize these hazards.

OSHA believes that these requirements are necessary to verify that employers are providing workers with protection from fall hazards as required by these standards.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

No special circumstances exist that require employers to collect information in the manner, or using the procedures, described in this Item.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), OSHA published a notice in the *Federal Register* on April 30, 2010 (75 FR 22844, Docket No. OSHA-2010-0008) requesting public comments on its proposal to extend the Office of Management and Budget's approval of the information collection requirements specified by the Standard on Fall Protection Systems Criteria and Practices (29 CFR 1926.502), and Training Requirements (29 CFR 1926.503). This notice was part of a preclearance consultation program that provided the general public and government agencies with an opportunity to comment. The Agency received no comments in response to its notice.

**9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.**

The Agency will not provide payments or gifts to the respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The paperwork requirements specified in these standards do not require the collection of confidential information.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reason why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

The paperwork requirements specified in these standards do not require the collection of sensitive information.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage-rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

### **Burden-hour and Cost Determinations**

**Burden hour determinations:** In analyzing the information collection requirements for construction fall protection and training, OSHA relied on the U.S. Census Bureau, *2007 Economic Census, Construction Industry Series*, issued in 2008 and 2009. The series includes establishment and worker population data distinguished by six digit North American Industrial Classification Systems (NAICS) Codes. OSHA relies on the latest series available for industry 23, "Construction." Appendices A-C detail which NAICS construction industries are affected by the certification of safety nets, fall protection plans and training certification.

### **Cost Determinations:**

The Agency determined average wage rate for a construction supervisor using average hourly earning, including benefits, to represent the cost of worker time. For the relevant occupational categories, mean hourly earnings from the *Employer Cost for Employee Compensation, September 2006, table 12*, U.S. Department of Labor, by the Bureau of Labor Statistics have been adjusted to reflect the fact that fringe benefits comprise of about 29.6% of total compensation in the private sector. Since wages are the remaining 70.4% of worker compensation, wages are multiplied by 1.4 (1/0.704) to estimate full worker hourly compensation. The costs of labor used in this analysis, \$29.46, are; therefore, estimates of total hourly compensation.

**Table 1  
Summary of Burden Hours and Costs**

Collection of Information	Current Burden Hours	Requested Burden Hours	Difference	Costs
Certification of Safety Nets and Safety-Net Installations (§1926.502(c)(4)(ii))	23	179	156	\$5,273
Fall Protection Plan (§1926.502(k))	974	963	-11	\$28,370
Certification of Training (§1926.503(b))	481,885	455,166	-26,719	\$13,409,190
Federal Access to Records	1,200	800	-400	\$23,568
<b>Totals</b>	<b>484,082</b>	<b>457,108</b>	<b>-26,974</b>	<b>\$13,466,401</b>

**Certification of Safety Nets and Safety-Net Installations (§ 1926.502(c)(4)(ii))**

OSHA estimates that, each year, 2,237 construction employers will choose to use and certify safety nets and safety-net installations instead of performing drop tests (See Appendix A). On September 30, 2009, OSHA issued CPL 02-01-046 rescinding its de minimis enforcement “policy relating to requirements regarding: (1) fully planked or decked floors or nets, which was announced in OSHA Instruction CPL 02-01-034 (formerly CPL 2-1.34), issued March 22, 2002...” The rescission of the de minimis policy forces employers subject to the steel erection requirements to choose between using safety nets or floors that are either fully planked or decked. The Agency anticipates that only a small number of employers faced with this choice will choose nets and that many of those will choose to certify worthiness rather than drop test the nets. The Agency is aware that technology and practice will adjust this estimate, but in anticipation of market recovery and using a conservative estimate, the Agency calculates that half the steel erectors will choose this option and that few other employers will continue their usage. The Agency; therefore, estimates that 2,237 net certifications will require a designated competent person 5 minutes (.08 hour) to prepare the certificate annually. Therefore, the total burden hours and cost for this requirement are:

**Burden hours:** 2,237 net certifications x .08 hour = 179 hours

**Cost:** 179 hours x \$29.46 = \$5,273

**Fall Protection Plan (§ 1926.502(k))**

The Agency estimates that the frequency of the fall protection-plan option in construction has fallen considerably due to the increased sophistication of fall protection equipment and computer aided preplanning. The Agency has been requested to rescind STD 03-00-001, which allows for four limited categories of activity in residential construction the use of an unwritten fall

protection plan. The Agency is considering this request. With the continually increasing sophistication of fall protection systems and preplanning technology, the market conditions, and the uncertainty over the rescission, if any, the Agency provides conservative estimates of this burden. Almost certainly, the estimates will be revised lower until the market stabilizes. However, for those employers who still opt to use a fall protection plan, the sample fall protection plan found in subpart M (“Fall Protection”), Appendix E provides them an expedient means for creating a plan electronically or even with “paper and pencil.” OSHA estimates that 963 establishments who have workers engaged in leading-edge work, precast-concrete-erection work, or residential construction will use the fall protection option (See Appendix B). OSHA assumes that a qualified person requires one hour developing a plan for a specific work site. Therefore, the total burden hours and cost for this requirement are:

**Burden hours:** 963 plans x 1 hour = 963 hours  
**Cost:** 963 hours x \$29.46= \$28,370

### **Certification of Training (§ 1926.503(b))**

OSHA estimates that 379,305 construction establishments will require fall protection training and retraining each year for their workers (See Appendix C). The Agency recognizes that fall protection training is not individualized but presented to groups of workers at cyclic or regular intervals. With the current market conditions, each employer may average 15 such presentations a year. Certification of the training sign-in roster is the usual form of certification. Accordingly, OSHA estimates that there will be 5,689,575 construction fall protection training sessions per year. The Agency assumes that a competent person takes 5 minutes (.08 hour) to prepare each training certification. Therefore, the total burden hours and cost for this requirement are:

**Burden hours:** 5,689,575 certifications x .08 hour = 455,166 hours  
**Cost:** 455,166 hours x \$29.46 = \$13,409,190

### **Federal Access to Records**

These standards do not specify expressly that an employer must provide the required certifications or fall protection plan to an OSHA compliance officer during the inspection. Compliance officers infrequently cite employers for violations of these 29 CFR part 1926, subpart M standards. The Agency’s inspection data indicate that between October 1, 2000, and September 30, 2009, § 1926.502(c)(4) has been cited once; § 1926.502(k) has been cited 107 times; and § 1926.503(b) has been cited 1,027 times. In comparison, during the same time frame, the data show 10,315 citations for violations of the fall protection training program requirement. Compliance officers generally request the records, where applicable from employers, after their investigation show the lack of jobsite fall protection compliance. In particular: citations for violations of the fall protection plan requirement are few because the plan is an option limited to leading edge, precast, or residential construction work; and citations for violations of the safety net certification requirement are few because use of safety nets is an option, which provides a further option to of either drop testing or certifying the worthiness of the net system. Additionally, Agency data for FY 2009 show that 10,283 Federal citations were issued that year for all violations of construction fall protection standards, 29 CFR part 1926,

subpart M. The data indicate that 7,118 Federal inspections generated the 10,283 citations. Therefore, the maximum number of potential requests for 29 CFR part 1926, subpart M certification records was limited to 7,118 in FY 2009. Because of the condition of the construction market and the lack of data collection on inspections where the conditions were found to be in compliance OSHA overestimates that 10,000 requests more accurately represents the upper limit for certification records requests.

The Agency estimates that an employer would spend 5 minutes (.08 hour) responding to the requested records during the inspection. (Note: The Agency assumes that this response would cover the location of other documents that a compliance officer may request, i.e., fall protection plans and certification of safety nets and safety-net installations, because employers would likely co-locate all documents pertaining to their fall protection program.) Therefore, the total annual burden hours and cost for this requirement are:

**Burden hours:** 10,000 inspections x .08 hour = 800 hours

**Cost:** 800 hours x \$29.46 = \$23,568

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in item 12 and 14.)**

- **The cost estimate should be split into two components: (a) A total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) Prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or (4) as part of customary and usual business or private practices.**

Item 12 lists the total cost to employers of complying with the information collection requirements specified in these standards.

**14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into single table.**

As noted in Item 12 above, Federal OSHA data show that 7,118 construction inspections for FY 2009 resulted in 10,283 citations for violations of construction's 29 CFR part 1926, subpart M requirements. Analysis of the data shows that a much smaller number of citations were issued for violations of the certification requirements, § 1926.502(c)(4)(ii) yielded no citations; § 1926.502(k) yielded 9 citations; and § 1926.503(b) yielded 180 citations. Taking 189 citations as a percent of all fall protection citations and applying that ratio to the total of all fall protection inspections suggest that about 130 inspections in FY 2009 involved requests for the certifications. Accordingly, due to the lack of data collection for in compliance inspections and because of the condition of the construction market, the Agency overestimates that 500 inspections could result in requests for the certifications annually. OSHA also estimates that a compliance officer (GS-12/5), at an hourly wage rate of \$40.66, would spend 5 minutes (.08 hour) during each of 500 inspections requesting and reviewing records maintained by employers covered by these standards. OSHA considers other expenses, such as equipment, overhead, and support staff salaries, as normal operating expenses that would occur without the collection of information requirements specified by these standards. Accordingly, the annual cost to the Federal government for OSHA compliance officers to request and review these records is:

**Cost:** 500 inspections x .08 hour x \$40.66 = \$1,626

**15. Explain the reasons for any program changes or adjustments.**

The Agency is requesting an adjustment decrease of 26,974 burden hours (from 484,082 to 457,108 hours). One primary reason is due to training certification under § 1926.503(b); OSHA is conservatively estimating the frequency reduction caused by the construction market decline. The Agency estimates that a construction establishment might, at the most, hold 15 courses requiring attendance roster certification a year. This compares to 20 courses each when the industry was at peak activity. Consequently the burden is lower.

**Table 2**

**Summary of Burden Hour Adjustments**

Collection of Information	Current Burden Hours	Requested Burden Hours	Adjustments	Changes
Certification of Safety Nets and Safety-Net Installations -- 1926.502(c)(4)(ii)	23	179	156	OSHA estimates a modest increase in safety net use by certification as a result of rescinding the de minimis steel erection fall protection policy for using personal fall arrest in lieu of the net or flooring.
Fall Protection Plan – 1926.502(k)	974	963	-11	The Agency decreased the number of fall protection plans from 974 to 963 based on estimates that technological improvements make them a less attractive option to the industry.
Certification of Training – 1926.503(b)	481,885	455,166	-26,719	Although there was an increase in the number of establishments (from 301,178 to 379,305), the Agency reduced the groups of employees trained from 20 to 15.
Federal Access to Records	1,200	800	-400	Analysis of FY 2009 and a longer term look at construction fall protection certification citations in addition to the decline in construction indicate a significant decline in inspections involving requests for the fall protection certifications.
<b>Totals</b>	<b>484,082</b>	<b>457,108</b>	<b>-26,974</b>	

**16. For collections of information whose results will be published, outline plans for tabulations and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of the report, publication dates, and other actions.**

OSHA will not publish the information collected under these standards.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

There are no forms on which to display the expiration date.

**18. Explain each exception to the certification statement in ROCIS.**

OSHA is not seeking an exception to the certification statement in ROCIS.

## Appendix A: Certification of Safety Nets and Safety Net Installation .502(c)(4)(ii)

## Fall Protection Systems Criteria and Practices (29 CFR part 1926, subpart M)

OMB Control No. 1218-0197 (February 2010)

2007 NAICS code	Meaning of 2007 NAICS code	Number of establishments	Average number of construction workers	% Establishments Affected	Total Affected (C3-C33 times N3-N33)
236115	New single-family general contractors	61,134	156,228	0.000%	0
236116	New multifamily housing construction (except operative builders)	2,808	22,835	0.025%	1
236117	New housing operative builders	32,538	83,621	0.025%	8
236118	Residential remodelers	74,171	177,094	0.025%	19
236210	Industrial building construction	1,929	50,221	0.500%	10
236220	Commercial and institutional building construction	36,083	359,303	0.500%	180
237110	Water and sewer line and related structures construction	10,506	149,326	0.025%	3
237120	Oil and gas pipeline and related structures construction	1,955	121,412	0.025%	0
237130	Power and communication line and related structures construction	5,289	148,104	0.025%	1
237210	Land subdivision	8,716	43,714	0.000%	0
237310	Highway, street, and bridge construction	10,519	261,797	0.100%	11
237990	Other heavy and civil engineering construction	4,077	52,813	0.100%	4
238110	Poured concrete foundation and structure contractors	24,303	257,137	0.100%	24
238120	Structural steel and precast concrete contractors	3,848	73,079	50.000%	1924
238130	Framing contractors	19,060	132,733	0.025%	5
238140	Masonry contractors	23,308	186,652	0.025%	6
238150	Glass and glazing contractors	5,183	37,222	0.000%	0
238160	Roofing contractors	16,204	142,651	0.250%	41
238170	Siding contractors	10,052	34,815	0.000%	0
238190	Other foundation, structure, and building exterior contractors	5,099	34,478	0.000%	0
238210	Electrical contractors and other wiring installation contractors	72,761	636,129	0.000%	0
238220	Plumbing, heating, and air-conditioning contractors	91,693	713,030	0.000%	0
238290	Other building equipment contractors	6,828	97,989	0.000%	0
238310	Drywall and insulation contractors	21,031	265,238	0.000%	0

Appendix A: Certification of Safety Nets and Safety Net Installation .502(c)(4)(ii)

Fall Protection Systems Criteria and Practices (29 CFR part 1926, subpart M)

OMB Control No. 1218-0197 (February 2010)

2007 NAICS code	Meaning of 2007 NAICS code	Number of establishments	Average number of construction workers	% Establishments Affected	Total Affected (C3-C33 times N3-N33)
238320	Painting and wall covering contractors	35,619	174,276	0.000%	0
238330	Flooring contractors	14,575	49,085	0.000%	0
238340	Tile and terrazzo contractors	11,824	54,754	0.000%	0
238350	Finish carpentry contractors	38,574	123,240	0.000%	0
238390	Other building finishing contractors	6,212	44,478	0.000%	0
238910	Site preparation contractors	43,520	343,251	0.000%	0
238990	All other specialty trade contractors	28,653	167,037	0.000%	0
					<b>2,237</b>

Appendix B: Fall Protection Plans .501(b)(2), (12), (13)

Fall Protection Systems Criteria and Practices (29 CFR part 1926, subpart M)

OMB Control No. 1218-0197 (February 2010)

2007 NAICS code	Meaning of 2007 NAICS code	Number of establishments	Average number of construction workers	% Establishments Affected	Total Affected (C3-C33 times N3-N33)
236115	New single-family general contractors	61,134	156,228	0.050%	31
236116	New multifamily housing construction (except operative builders)	2,808	22,835	0.050%	1
236117	New housing operative builders	32,538	83,621	0.025%	8
236118	Residential remodelers	74,171	177,094	0.025%	19
236210	Industrial building construction	1,929	50,221	0.000%	0
236220	Commercial and institutional building construction	36,083	359,303	0.025%	9
237110	Water and sewer line and related structures construction	10,506	149,326	0.000%	0
237120	Oil and gas pipeline and related structures construction	1,955	121,412	0.000%	0
237130	Power and communication line and related structures construction	5,289	148,104	0.000%	0
237210	Land subdivision	8,716	43,714	0.000%	0
237310	Highway, street, and bridge construction	10,519	261,797	0.050%	5
237990	Other heavy and civil engineering construction	4,077	52,813	0.000%	0
238110	Poured concrete foundation and structure contractors	24,303	257,137	0.025%	6
238120	Structural steel and precast concrete contractors	3,848	73,079	0.050%	2
238130	Framing contractors	19,060	132,733	02.5%	477
238140	Masonry contractors	23,308	186,652	0.000%	0
238150	Glass and glazing contractors	5,183	37,222	0.000%	0
238160	Roofing contractors	16,204	142,651	02.5	405
238170	Siding contractors	10,052	34,815	0.000%	0
238190	Other foundation, structure, and building exterior contractors	5,099	34,478	0.000%	0
238210	Electrical contractors and other wiring installation contractors	72,761	636,129	0.000%	0
238220	Plumbing, heating, and air-conditioning contractors	91,693	713,030	0.000%	0
238290	Other building equipment contractors	6,828	97,989	0.000%	0
238310	Drywall and insulation contractors	21,031	265,238	0.000%	0
238320	Painting and wall covering contractors	35,619	174,276	0.000%	0
238330	Flooring contractors	14,575	49,085	0.000%	0
238340	Tile and terrazzo contractors	11,824	54,754	0.000%	0
238350	Finish carpentry contractors	38,574	123,240	0.000%	0
238390	Other building finishing contractors	6,212	44,478	0.000%	0
238910	Site preparation contractors	43,520	343,251	0.000%	0

Appendix B: Fall Protection Plans .501(b)(2), (12), (13)

Fall Protection Systems Criteria and Practices (29 CFR part 1926, subpart M)

OMB Control No. 1218-0197 (February 2010)

2007 NAICS code	Meaning of 2007 NAICS code	Number of establishments	Average number of construction workers	% Establishments Affected	Total Affected (C3-C33 times N3-N33)
238990	All other specialty trade contractors	28,653	167,037	0.000%	0
					<b>963</b>

Appendix C: Certification of Fall Protection Training .503(b)

Fall Protection Systems Criteria and Practices (29 CFR part 1926, Subpart M)  
OMB Control No. 1218-0197 (February 2010)

2007 NAICS code	Meaning of 2007 NAICS code	Number of establishments	Average number of construction workers	% Establishments Affected	Total Affected (C3-C33 times N3-N33)
236115	New single-family general contractors	61,134	156,228	100.000%	61,134
236116	New multifamily housing construction (except operative builders)	2,808	22,835	100.000%	2,808
236117	New housing operative builders	32,538	83,621	100.000%	32,538
236118	Residential remodelers	74,171	177,094	100.000%	74,171
236210	Industrial building construction	1,929	50,221	100.000%	1,929
236220	Commercial and institutional building construction	36,083	359,303	100.000%	36,083
237110	Water and sewer line and related structures construction	10,506	149,326	15.000%	1,576
237120	Oil and gas pipeline and related structures construction	1,955	121,412	15.000%	293
237130	Power and communication line and related structures construction	5,289	148,104	0.000%	0
237210	Land subdivision	8,716	43,714	0.000%	0
237310	Highway, street, and bridge construction	10,519	261,797	25.000%	2,630
237990	Other heavy and civil engineering construction	4,077	52,813	25.000%	1,019
238110	Poured concrete foundation and structure contractors	24,303	257,137	50.000%	12,152
238120	Structural steel and precast concrete contractors	3,848	73,079	25.000%	962
238130	Framing contractors	19,060	132,733	75.000%	14,295
238140	Masonry contractors	23,308	186,652	25.000%	5,827
238150	Glass and glazing contractors	5,183	37,222	75.000%	3,887
238160	Roofing contractors	16,204	142,651	100.000%	16,204
238170	Siding contractors	10,052	34,815	50.000%	5,026
238190	Other foundation, structure, and building exterior contractors	5,099	34,478	50.000%	2,550
238210	Electrical contractors and other wiring installation contractors	72,761	636,129	50.000%	36,381
238220	Plumbing, heating, and air-conditioning contractors	91,693	713,030	50.000%	45,847
238290	Other building equipment contractors	6,828	97,989	50.000%	3,414
238310	Drywall and insulation contractors	21,031	265,238	25.000%	5,258
238320	Painting and wall covering contractors	35,619	174,276	25.000%	8,905
238330	Flooring contractors	14,575	49,085	0.000%	0
238340	Tile and terrazzo contractors	11,824	54,754	0.000%	0
238350	Finish carpentry contractors	38,574	123,240	0.000%	0
238390	Other building finishing contractors	6,212	44,478	25.000%	1,553
238910	Site preparation contractors	43,520	343,251	0.000%	0
238990	All other specialty trade contractors	28,653	167,037	10.000%	2,865
					<b>379,305</b>